

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER**

UNITED STATES OF AMERICA)	Case No. 4:20-CR-11
)	
v.)	District Judge Curtis L. Collier
)	
JOSHUA ANTHONY RUCKER)	Magistrate Judge Christopher H. Steger

ORDER

United States Magistrate Judge Christopher H. Steger filed a report and recommendation (R&R) recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Count One (lesser-included offense) of the three-count Indictment; (2) accept Defendant's guilty plea to Count One (lesser-included offense) of the three-count Indictment; (3) adjudicate Defendant guilty of conspiracy to distribute 50 grams or more of a mixture and substance containing methamphetamine in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), and 846; and (4) order that Defendant remain in custody pending sentencing or further order of this Court. (Doc. 122.)

Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the report and recommendation (Doc. 122) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea to Count One (lesser-included offense) of the three-count Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count One (lesser-included offense) of the three-count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of conspiracy to distribute 50 grams or more of a mixture and substance containing methamphetamine in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), and 846;

4. A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
5. Defendant **SHALL REMAIN** in custody until further order of this Court or sentencing in this matter which is scheduled to take place before the undersigned on **September 22, 2021, at 2:00 p.m.**

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE